


|  <p>Financial Assistance Award</p> <p>DENALI COMMISSION 510 L Street, Suite 410 Anchorage, Alaska 99501 (907) 271-1414 (phone) (907) 271-1415 (fax) www.denali.gov</p> | | Award Number | 01506-00 | | |
|--|------------------------------|--|---|---------------------------|---------------------|
| | | Award Title | Soft Erosion Protection Design | | |
| | | Performance Period | November 1, 2016 through September 30, 2017 | | |
| Authority 112 Stat 1854 | CFDA Number 90.100 | <u>Recipient Organization & Address</u> Native Village of Shaktoolik 100 Airport Rd SHAKTOOLIK, AK 99771-1100 Phone: 907-955-3701 Recipient DUNS # 146071134 TIN # 92-0010257 | | | |
| Denali Commission Finance Officer Certification | | | | | |
| <u>Cost Share Distribution Table</u> | | | | | |
| Accounting Code | New Funding | | Prior Period Funding | | Total |
| | Denali Commission | Other Contributors | Denali Commission | Other Contributors | |
| 95670000 | \$125,000.00 | | \$0.00 | | \$125,000.00 |
| | \$0.00 | | \$0.00 | | \$0.00 |
| | \$0.00 | | \$0.00 | | \$0.00 |
| | \$0.00 | | \$0.00 | | \$0.00 |
| | \$0.00 | | \$0.00 | | \$0.00 |
| | | \$0.00 | | \$0.00 | \$0.00 |
| | | \$0.00 | | \$0.00 | \$0.00 |
| | | \$0.00 | | \$0.00 | \$0.00 |
| | | \$0.00 | | \$0.00 | \$0.00 |
| Total | \$125,000.00 | \$0.00 | \$0.00 | \$0.00 | \$125,000.00 |
| This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding. | | | | | |
| | | | | | |
| Signature of Authorized Official - Denali Commission Electronically Signed | | Typed Name and Title Mr. Jay Farmwald Director of Programs | | Date 10/27/2016 | |

AWARD ATTACHMENTS

Native Village of Shaktoolik

01506-00

1. Terms and Conditions
2. Attachment A

**Financial Assistance Award Terms and Conditions
Between the Denali Commission and Native Village of Shaktoolik
For Soft Erosion Protection Design
Award No. 1506**

1. Project Summary

- a. Scope of Work: This award will provide for the design of shoreline protection measures for the reinforcement and extension of Shaktoolik's existing sand and drift wood berm.
- b. Deliverables: Design documents for berm improvements and a construction plan to execute the design.
- c. Budget: The Commission is making \$125,000 available to the Native Village of Shaktoolik (NVS) via this Financial Assistance Award (FAA). This amount includes all direct and indirect costs. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.319.
- d. Delivery Method: There is an existing contract between Shaktoolik and Bristol Engineering that was competitively procured with assistance from the State of Alaska. The scope of work for the contract includes the design, permitting, and construction administration for rehabilitation of the Shaktoolik Evacuation Road. With agreement of the two parties to the contract, the contract can be amended to include design of berm improvements. Cooperative agreement provisions apply.
- e. Performance Period: The Period of Performance for this FAA is 1 November 2016 through 30 September 2017. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 14 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's *Recipient Guidelines and Requirements* (RGR) document dated July 2015, available at www.denali.gov.

More detailed information on scope, deliverables, budget, funding, project delivery method and/or management plan, cooperative agreement provisions, and schedule are included in Attachment A dated 29 September 2016.

2. Project Reporting and Commission Site Visits

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions. The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at www.denali.gov/dcpdb.

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Period of Performance. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits.

Refer to the *Recipient Guidelines and Requirements* document for further information related to reports and site visits.

3. Payments

Payments under this FAA will be made in accordance with 2 CFR 200.305 by electronic transfer in response to a Standard Form 270 (SF-270) "Request for Advance or Reimbursement", submitted by the Recipient. If Pre-award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the *Recipient Guidelines and Requirements* document for further information about submitting SF-270's.

4. Modifications

In accordance with 2 CFR 200.308, the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions to the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information about modifying a Financial Assistance Award.

5. Financial Management, Record Keeping, Internal Controls, and Audits

The Recipient must have financial management and record keeping systems that are consistent with 2 CFR 200.302. If the Recipient is a State organization, it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with 2 CFR 200.303.

In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the *Recipient Guidelines and Requirements* document for further information about financial management, record keeping, internal controls and audits.

6. Direct and Indirect Costs

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to 2 CFR 200 Subpart E (Cost Principles) and the *Recipient Guidelines and Requirements* document for further information on direct and indirect costs.

7. Sub-Awards and Contracts

All sub-awards and contracts issued by the Recipient under this FAA must comply with 2 CFR 200.331 and Appendix II to 2 CFR 200. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

8. Acknowledgement of Support

The Recipient shall display a sign that acknowledges the Government's support for construction projects funded in whole or in part under this FAA. The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to all work supported by this award. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

9. Real and Personal Property

In accordance with 2 CFR 200.311, 313, and 316 the Denali Commission may require the Recipient to execute a security interest or other public notice of record to indicate that real or personal property acquired or improved, in whole or in part, with Federal funds is subject to a Federal interest. Any such requirements under this FAA, including post project reporting in accordance with 2 CFR 200.329, will be stipulated in the Special Provisions.

10. Conflict of Interest

In accordance with 2 CFR 200.112, the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, 2 CFR 200.318 requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

11. Denali Commission Policies

Recipients may be required to comply with certain published Denali Commission policies. Any such requirements under this FAA will be stipulated in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information on individual policies.

12. Laws and Regulations

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the *Recipient Guidelines and Requirements* document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

13. Other Provisions

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any sub-recipient under this FAA.
- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to 2 CFR 207. This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient's eligibility for future Federal awards.

14. Special Provisions

Progress Reports: Quarterly

Pre-award Costs: not allowed

Key Staff: to be identified by NVS

Advance Payments: n/a

Federal Property Interests and Reporting Requirements: n/a

Denali Commission Policies: n/a

Bonds and Insurance: n/a

15. Program Manager, Financial Manager & Other Contact Information

| Denali Commission | Native Village of Shaktoolik |
|---|--|
| Chris Allard, PE ETC Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-1414 Fax: 907-271-1415 E-mail: callard@denali.gov | Kirby Sookiayak Community Coordinator P.O. Box 100 Shaktoolik, AK 99771 Phone: 907-956-1211 Fax: 907-955-2352 Email: ksookiayak@yahoo.com |
| Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-1414 Fax: 907-271-1415 E-mail: jdavis@denali.gov | Karlene Sagoonick Tribal Coordinator P.O. Box 100 Shaktoolik, AK 99771 Phone: 907-955-3701 Fax: 907-955-2352 Email: ksagoonick@kawerak.org |

**Attachment A
to
Financial Assistance Award #1506
Between the Denali Commission and the Native Village of Shaktoolik
For Soft Erosion Protection Design**

SCOPE OF WORK

The 2016 Shaktoolik Strategic Management Plan and the 2015 Hazard Mitigation Plan have identified design and construction of shoreline protection measures as a critical action for the protection of community infrastructure. This project will provide assistance to the Village of Shaktoolik (NVS) for design of the reinforcement and extension of the existing sand and drift-log berm. Improvements to the berm shall make it more resistant to erosion and provide better protection of utilities, structures, and personal property.

DELIVERABLES

- An amended contract between Shaktoolik and Bristol Engineering for the design of berm improvements
- Design documents by Bristol Engineering, accepted by the Native Village of Shaktoolik (NVS), for berm improvements
- Plan for implementation of berm improvements

BUDGET

The Commission is making \$125,000 available to the Native Village of Shaktoolik for the design and the construction plan of berm improvements. Additional budget detail can be found in Attachment A dated 29 September 2016.

DELIVERY METHOD

The City of Shaktoolik has a contract with Bristol Engineering for the Design, Permitting, and Construction Administration for rehabilitation of the Shaktoolik Evacuation Road. The contract was competitively procured with the assistance of the State of Alaska Department of Homeland Security and Emergency Management.

The NVS and City of Shaktoolik will enter into an agreement to amend the contract with Bristol to include design of berm improvements and to allow NVS funds to be used to pay Bristol for work performed on the amended scope. The contract will be amended to include planning berm improvements with community input, designing berm improvements, and developing a plan for construction of improvements.

The Recipient agrees to cooperate and collaborate with the Denali Commission during the project, and understands that the Commission will be substantially involved in implementing the project or components of the project. Specifically, the Commission will participate in, and/or provide direct assistance during the project related to the following:

- Development of the agreement between the NVS and the City of Shaktoolik for payment of Bristol Engineering.
- Development of the Scope of Work for amendment of the contract with Bristol Engineering.
- Review and approval of design documents and construction implementation plan.

SCHEDULE

The initial performance period for this FAA is 1 November 2016 through 30 September 2017. The performance period may be extended by amendment.

KEY MILESTONES

| | |
|---|------------------|
| Amend contract between Shaktoolik and Bristol Engineering | 30 November 2016 |
| Draft design report | 31 January 2017 |
| Final design report | 15 February 2017 |
| 65% berm improvement design | 30 April 2017 |
| Final berm improvement design | 30 June 2017 |
| Construction Implementation Plan | 30 July 2017 |

| BUDGET | | | |
|-------------|--|------------|--|
| <i>line</i> | Item/Activity | Estimate | Basis / Notes |
| 1 | Contract and Grant Administration | \$ 7,200 | 12 months @ 20 hours/month @ \$30/hour |
| 2 | Design Contract | | |
| 3 | Development of design documents | \$ 91,000 | 700 manhours @ \$130 / hour |
| 4 | Site survey | \$ 9,500 | 72 manhours @130 / hour (rounded) |
| 5 | travel and expenses | \$ 12,000 | 4 trips @ \$3,000 / trip |
| 6 | Subtotal | \$ 112,500 | |
| 7 | Tribal Indirect Costs ¹ | \$ 5,370 | 10% of line 1 plus 10% of first \$25,000 of line 6 |
| 8 | Subtotal | \$ 125,070 | |
| 9 | Total Award (Rounded) | \$ 125,000 | |
| | | | |
| | Notes | | |
| | 1. NVS does not have a negotiated indirect cost rate; use the 10% de-minimis rate in 2 CFR 200.414 | | |